FILED
JUL 7 2000
OFFICE OF THE CLERK

NO. 00 56

IN THE

Supreme Court of the United States

MARY WILLIAMS CAZALAS,

Petitioner

versus

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Respondent

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

PETITION FOR WRIT OF CERTIORARI

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70PP

QUESTIONS PRESENTED

1. Whether the Merit Systems Protection Board has jurisdiction over the appeal of Mary Williams Cazalas to the Board because she was an excepted service employee of the Equal Employment Opportunity Commission at the time she filed her appeal to the Board and she is still an excepted service employee of the Equal Employment Opportunity Commission because: I1) she has never been notified that she was to be terminated; (2) an application for disability retirement filed by her on August 15, 1984, was not filed voluntarily, knowingly and willingly; (3) she has never received disability retirement; and (4) she has received medical workers compensation benefits since October 20, 1982, and monetary benefits since January 20, 1985, which had been approved September 19, 1984. An additional basis is that she was a cadet nurse during World War II and this should entitle her to veterans preference.

2. Whether the United States Court of Appeal for the Federal Circuit has so far departed from the accepted and usual course of judicial proceedings and sanctioned such a departure by the Merit Systems Protection Board as to call for an exercise of this Court's supervisory power to assure that in the future federal employees will receive the protection from improper agency action that the Merit Systems Protection Board was established to provide.

PARTIES TO THE PROCEEDING

1. Mary Williams Cazalas, Petitioner

2. Equal Employment Opportunity Commission, Respondent

CORPORATE DISCLOSURE STATEMENT

There is no nongovernmental corporation involved in this case.

There is no parent corporation involved in this case.

There is no publicly held company that owns 10% or more of corporate stock involved in this case.

Mary Williams Cazalas is the only petitioner and there is no amicus curiae.

The Equal Employment Opportunity Commission is the only respondent.

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v.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,
Respondent

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

The petitioner, Mary Williams Cazalas, respectfully prays that a writ of certiorari issue to review the per curiam judgment of the United States Court of Appeals for the Federal Circuit entered in this proceeding on April 10, 2000.

OPINIONS BELOW

1. Mary Williams Cazalas v. Equal Employment Opportunity Commission, United States Merit Systems Protection Board, Dallas Field Office, Docket Number DA-9752-99-0172-I-1, Order Regarding Jurisdiction, March 24, 1999, the order appears at Appendix A.
2. Mary Williams Cazalas v. Equal Employment Opportunity Commission, United States of America Merit Systems Protection Board, Dallas Field Office, Docket Number DA-0432-99-0172-I-1, Initial decision April 8, 1999, the decision appears at Appendix B.
3. Mary Williams Cazalas v. Equal Employment Opportunity Commission, On Petition For Review of the Decision of the Merit Systems Protection Board in DA-0432-99-0172-I-1, United States Court of Appeals for the Federal Circuit, No 99-3275. The opinion appears at Appendix C.

JURISDICTION

The judgment of the United States Court of Appeal for the Federal Circuit sought to be reviewed was entered on April 10, 2000, and the mandate was entered on June 1, 2000. No petition for rehearing nor motion for extension of time to file the Petition for Writ of Certiorari was filed. The Petition for Writ of Certiorari was filed within 90 days of the date of judgment. This case is on petition for review of the per curiam decision of the United States Court of Appeals for the Federal Circuit affirming the decision of the Administrative Law Judge of the Merit Systems Protection Board dismissing the appeal of the petitioner to the Board after finding a lack of jurisdiction. This Court has jurisdiction under 28 U.S.C. Sections 1295 (a)(9), 28 U.S.C. Section 1254 and 5 U.S.C. Section 7703(b)(1), the Fifth Amendment to the United States Constitution which guarantees due process, and the Bolton Act.

RULES AND STATUTES INVOLVED

As provided by Supreme Court Rule 21. 1(f), the verbatim quotation of the following statutes and rules are set forth in Appendix N hereto.

United States Constitution, Amendment V A-30

5 U.S.C. 7513 (a)(b) A-27

5 U.S.C. Section 7703(b)(1) A-25

28 U.S.C. Section 1295(a)(1) A-28

28 U.S.C. Section 1254(1) A-29

The Bolton Act A-31

STATEMENT OF THE CASE

Mary Williams Cazalas filed in the United States Court of Appeals for the Federal Circuit a petition for review of the denial of jurisdiction by the Merit Systems Protection Board of her appeal to the Board on December 21, 1998. App. 0012 By a letter from the Board dated January 11, 1999, Mary Williams Cazalas was informed that her appeal did not comply with all requirements of the Board. App. 0013 On January 19, 1999, she refiled her appeal. App. 0014 An Acknowledgement Order dated January 25, 1999, was directed to her and the Equal Employment Opportunity Commission. App 0083 In compliance with that order, she filed a response noting her request for oral hearing in the January 19, 1999, appeal to the Board. App 0295 She informed the Board that she would represent herself.

The EEOC filed a Motion To Dismiss. App. 0030 Mary Williams Cazalas filed an Opposition to the Agency's Motion To Dismiss. App. 0402 The Agency filed a reply to the Opposition to Agency's Motion To Dismiss. App 0508 Mary Williams Cazalas filed a Supplemental Memorandum In Support Of Her Opposition To The Agency's Motion To Dismiss. App. 0517

The Administrative Law Judge issued to Mary Williams Cazalas, on March 24, 1999, a Rule To Show Cause why her appeal to the Board should not be dismissed because of lack of jurisdiction. App. 0007 Pet. App. A-1 The ALJ correctly found that Mary Williams Cazalas was an excepted service employee of the EEOC in 1984. However, she incorrectly held that Mary Williams Cazalas had separated from the Federal Service in 1984. She did not discuss the facts or basis for her determination. She did not discuss that Mary Williams Cazalas was never discharged. She did not discuss the facts pertaining to her failure to file the disability retirement application voluntarily, willingly and knowingly. These were the primary issues raised. However, the ALJ seized upon an incidental allegation by Mary Williams Cazalas that she should be considered as having veterans preference because she was a cadet nurse during World War II. This was apparently a method used by the ALJ to cloud the primary issues. App. 0008 The ALJ never expressed in her opinions any determination regarding the undisputed evidence that Mary Williams Cazalas was never notified that she was to be terminated and that she never voluntarily, willingly and knowingly filed for disability retirement.

Mary Williams Cazalas respectfully represents to this Court that an analysis of the documentary evidence presented as exhibits and attachments to the appeal and motions clearly present a prima facia case of involuntary filing for disability retirement. She never received disability retirement. The disability retirement offered her by OPM about a year after she began receiving workers compensation monetary benefits was refused by her. She advised OPM that she did not wish to receive disability retirement and she returned checks on November 8, 1985, and on November 10, 1986. App. 0657-0659;0703-0713; Pet. App H and I. Mary Williams Cazalas was not aware that the EEOC was even attempting to process the disability retirement application she had involuntarily filed on August 15, 1984. She had filed the application while under stress and duress and on the wrong advise of Donald Stacy, the regional attorney at the EEOC in

New Orleans, La. She was receiving monetary worker's compensation benefits beginning January 20, 1985, and there was no need for processing the disability retirement application. App. 0657-0659.

There is no evidence that Mary Williams Cazalas was ever discharged by the EEOC, because she was never discharged. See the letters of Arlethia Monroe. App. 0658; 0672-0674; Pet. App. J. The EEOC has admitted it can find no proposal or decision to remove Mary Williams Cazalas for performance. There is no Agency decision concerning Mary Williams Cazalas in the Official Personnel File. App. 0677-0678.

Termination of Mary Williams Cazalas without notice and without providing her an opportunity to overcome allegations against her is a denial of procedural due process guaranteed to her by the Fifth Amendment to the Constitution of the United States.

Any regulation permitting termination of an employee without an opportunity to be heard and to defend herself is a denial of substantive due process in violation of the Fifth Amendment to the Constitution of the United States. Due process means fairness. The taking of property without fairness is denial of due process. The denial of retirement benefits by denying credit for time served while receiving workers compensation under the facts of this case is denial of due process. The false allegations wrongfully placed in the personnel file of Mary Williams Cazalas have caused her to be denied employment and will continue to do so in violation of her guarantee of due process. The facts of this case parallel those of Heining v. General Services Administration, 68 M.S.P.R. 513 (1995). See also 5 USC Sections (a) and (b).

Mary Williams Cazalas was employed by the United States Department of Justice from February 16, 1971, to April 19,1979. App. 0409-0410 Her record during the approximately seven years that Gerald Gallinghouse was the United States attorney is excellent She received a superior performance award in 1974. App. 0026, 0031-0050; Pet. App. O A-34.

Commencement of problems in the Justice Department began with the appointment of John Volz. Mary Williams Cazalas refused to lie to the Fifth Circuit Court of Appeals in a brief in Edward Lee Wright v. United States. 624 F2d 557 (5th Cir. 1980) App. 0409, 0410, 9951, 0121.

Mary Williams Cazalas sued the United States Department of Justice for sex discrimination. After a ten day trial and before Judge Jack Gordon could rule in the case, he died suddenly. The case was tried on the record by Judge Henry Mentz by consent of the parties. He ruled against Mary Williams Cazalas. See Cazalas v. United States Department of Justice, 569 F. Supp. 213 (Ed. La. 1983). It is interesting that in that case, the Justice Department incorrectly alleged in its brief to the United States Supreme Court that Mary Williams Cazalas was not denied due process because she had access to the newly established Merit Systems Protection Board. The United States Supreme Court wrongly agreed. App. 0348-0353; 0472-0476.

Elizabeth Doucet, the Regional Attorney for the EEOC in New Orleans, had assisted Mary Williams Cazalas with her EEO Complaint against the Justice Department. Volz fired Mary Williams Cazalas on Friday, April 1 9,1979, and she commenced working at the EEOC in New Orleans, Louisiana, on Monday, April 22, 1979. It was Elizabeth Doucet who had recommended Mary Williams Cazalas, and she arranged for her work to begin without any loss of continuity of time. App. 0122-0168; 0112-0121.

Mary Williams Cazalas received above average and competent efficiencies at the EEOC until June 24, 1982, when she refused to lie during a deposition being taken by Richard Antonellie, the attorney for the United States Steel Corporation. App. 0170-0171; 0405 Christopher Lee Williams wanted Mary Williams Cazalas to take the blame for his error concerning permission of EEOC personnel to testify during a deposition. From that day forward, he continuously harassed and intimidated Mary Williams Cazalas. He forced her to redo every document she prepared. He made

unnecessary "corrections" in red ink. She could never complete her assignments because he made it impossible to do so. App. 0213-0227; 0172-0227; 0405-0406.

Mary Williams Cazalas filed many Union grievances. The letter of November 2, 1984, from Deborah Simms, the Union Steward, is objective evidence of harassment by Christopher Lee Williams. - She wrote that Mr. Williams' constant harassment and scrutiny of Ms. Cazalas' work was more than she could be expected to withstand and resulted in the decline of Ms. Cazalas performance. She further states that:

> "Ms. Cazalas is at home now. Her doctor states that she is in such a depressed state (that) she suffers from crying spells, suicidal ideation, loss of ability to enjoy life, reduced capacity to cope, etc. Additionally, Ms. Cazalas doctor stated that her job dissatisfation aggravates her depression. Is there any wonder that Ms. Cazalas' effectiveness on the job would suffer; The Union only wonders if Ms. Cazalas could have been saved if her requests for transfer would have been granted some months ago."

The Union then requested Donald Stacy, the Regional Attorney, to help Ms. Cazalas process a disability retirement request. App. 0228-0259; 0432-0444; Pet. App. K-A-20

A memorandum of Terrel Broussard, one of the supervisory attorneys, addressed to Mr. Williams and dated *10/18/82,* reflects Terrel's recognition of Williams' ulterior motives. Terrel wrote "As long as Mary is an employee she should be treated as such. To do otherwise may suggest an ulterior motive." App. 0431, 0585-0588; Pet. App. L-A-22 Terrel wrote a poem to Mary Williams Cazalas which is signed "For my friend, 9/12/82 Terrel'. In that poem, he expressed his observations of the unjust treatment to which Mary Williams Cazalas was being subjected. App. 0445; 0408; Pet. App. M-A-24

The reports of the psychiatrists appointed by the United States Department of Labor, Dr. Henderson and Dr. Alvin Cohen, describe their findings of the effects of the harassment by Christopher Lee Williams. They agree with her treating physician, Dr. Clayton B. Edisen, that she can never return to work at the Equal Employment Opportunity Commission. They also agree that she can never be placed in a work environment where she would be subjected to harassment as she endured from June 24, 1982, until she left the EEOC on or about October 29, 1984. Dr. Cohen observed that Mary Williams Cazalas remembers minute details although they occurred years ago. App. 0402-0407; 0450-0466.

A reading of a letter of warning from Christopher Lee Williams dated May 9, 1984, brings forth the realization of the hatred and contempt felt by him for Mary Williams Cazalas. App. 0528-0541. He points out that she told him she was more competent than he was and that he resented her competency. He described her as insolent to her superior. She does not recall making the remark attributed to her; however, she may very well have so stated. If so, it was a true statement. Mr. Williams recognized his own incompetency in his letter to Judge Mentz. App. 0553. Patricia Fields recognized his incompetence in his 1985 efficiency she gave him. App. 0555-0584. This was a major issue in the 1985 lawsuit filed by Christopher Lee Williams against the EEOC and Patricia Fields. See his TRO at App. 0587-0599.

The letter of Christopher Lee Williams dated October 29,1984, has as an attachment his draft of his proposal to remove Mary Williams Cazalas from her excepted service position of senior trial attorney with the EEOC. App. 0601-0615 When he gave this letter to her, she could no longer tolerate his harassment. She screamed at him "I hate you. You G.D.S.O. B., I will kill you". Mr. Williams was exactly like Major Frank Burns of MASH.

After screaming at him, Mary Williams Cazalas walked from the eighth floor to the fourth floor office of John Blanchard, anattorney in a different section of the EEOC. He told her to remain

in his office, and he went to the Office of Patricia Fields. When he returned, he told Mary Williams Cazalas that it was alright for her to go home. She left the EEOC office and has never returned to work. App. 0521

The documents filed herein clearly present objective evidence of extreme coercion, intimidation, harassment, duress, deception which establish a prima facia case of involuntary filing for disability retirement by Mary Williams Cazalas on August 15, 1984 Mary Williams Cazalas received workers compensation benefits many months before she was offered disability retirement. She refused to accept the disability retirement

THE SCENARIO OF THE APPLICATION FOR DISABILITY RETIREMENT IS AS FOLLOWS:

The constant harassment of Mary Williams Cazalas by Christopher Lee Williams after June 24, 1982, caused her to develop anxiety depression, psychological and emotional symptoms that signaled her need for psychiatric advice, counseling and treatment. On September 20, 1982, she saw for the first time Dr. Clayton B. Edisen, a board certified psychiatrist.

She was insured by the Aetna Insurance Company through the Federal Employee Health Benefits policy She received a notice from Aetna dated December 7, 1982, that Aetna would not pay the medical bills of Dr. Edisen because her illness was work related. App. 0617

In order to have the medical bills paid, she filed a claim for Workers' Compensation on July 13, 1983. She explained on the claim that she had not filed within 30 days from the date she realized the illness was caused by her work because she had hoped no claim would be necessary She had filed a grievance with the Union and she was advised not to file the claim for Workers' Compensation. App. 0618-0827

On May 22, 1984, Percy Courseault, Jr., Chief of Operations, wrote a letter to Pat Gruber, the claims examiner for the Workers' Compensation Branch of the New Orleans, Louisiana, Office of the Department of Labor. He explained that Patricia Fields had authority over the general administrative matters and that Christopher Lee Williams is subordinate to her. Mr. Courseault thanked Ms. Gruber for granting Ms. Fields an extension to July 2, 1984, to respond to her letter of May 2, 1984.

The harassment by Mr. Williams continued. Working conditions became unbearable. Mary Williams Cazalas was denied her request to be removed from his supervision. App. 0630-0631 Donald Stacy, the Regional Attorney, advised her to apply for disability retirement. He did not explain that she would not receive credit for time served while receiving workers' compensation if she accepted disability retirement. He did not explain that she would have to work five consecutive years to reinstate the credit for time served. He only told her it was necessary that she file for the disability retirement. He did not explain why it was necessary that she file for disability retirement. He was the regional attorney, and it was reasonable for Mary Williams Cazalas to rely on his advice. On August 15, 1984, Mary Williams Cazalas submitted the application for disability retirement to the New Orleans EEOC office with no knowledge of the consequences thereof and on the misrepresentation of Donald Stacy App. 0633-0638

On August 23, 1984, Percy Courseault notified Mary Williams Cazalas that before he could process her request for disability retirement she would need to provide a medical history from her physician. App. 0639-0641

On September 19, 1984, the United States Department of Labor notified Mary Williams Cazalas that her claim for benefits had been approved. The letter also stated that compensation benefits are payable if her disability results in her inability to work or a loss of earning capacity. App. 0643

By a letter dated November 2, 1984, the Union requested that Donald Stacy help Mary Williams Cazalas to process her disability retirement claim which she had filed on August 15, 1984, because of Donald Stacy's improper advice. App. 0523; 0533 8

By letter dated January 17, 1985, the Labor Department notified Mary Williams Cazalas that she would be paid monetary benefits from workers' compensation from January 20, 1985, and continuing. App. 0644-0645

By a letter dated January 24, 1985, Pat Gruber notified Mary Williams Cazalas that she was receiving workers' compensation for total disability App. 0647-0648

A letter from Amelia Corley, Adjudication Division 1, with a stamped date of Mach 7, 1985, stating that Mary Williams

Cazalas 'annuity had been suspended while she was receiving compensation from the Labor Department was received by Mary Williams Cazalas. A document showing the effective date as 11/22/84 was included. This was a retroactive date set by OPM and it was without the approval, consent or knowledge of Mary Williams Cazalas. App. 05223;0650-0651

The first checks received as disability annuity payments were received together on November 8, 1985. There were five checks received and the dates on the checks were 7/27/85; 8/21/85; 9/3/85; 10/1/85; and 11/1/85. These checks were deposited in the account of Mary Williams Cazalas at the Whitney Bank in New Orleans, Louisiana, on November 8,1985, and her check in the amount of $3,488.00 was sent to the Treasurer of the United States returning the amount of the five checks. A letter was sent by Mary Williams Cazalas to-Amelia G. Corley on November 8, 1985, informing her that she did not want disability retirement and that she was receiving workers compensation and wanted to receive workers compensation and not disability retirement. App. 0703-0708; Pet. App. H-A-16 The next check was received on November 10, 1986, in the amount of $621.35, That check was

deposited in the account of Mary Williams Cazalas on November 10, 1986, and her check in the amount of $621.35, payable to the Treasurer of the United States, was mailed on November 10, 1986, to the Office of Personnel Management. A letter was sent with the check explaining that the disability retirement check had been sent by error. She informed that office that she was receiving workers compensation. App. 0523;0653-0655. Pet. App. I-A-18

Mary Williams Cazalas received workers compensation until it was terminated on July 28, 1997. She filed an appeal and requested a hearing. The hearing representative reversed the decision of the claims examiner and reinstated the compensation. App. 0523; 0264-0270.

On August 5, 1997, after the workers compensation was terminated and before it was reinstated, Mary Williams Cazalas filed an application for regular; not disability, retirement. She was told by OPM that she should receive disability retirement because it would be more than regular retirement. OPM paid her disability retirement in an amount of slightly more than $1,300.00 per month. This was far below what she had calculated her retirement to be. She filed the FOIA and Privacy Act requests to determine the reason for the low retirement payment. She reviewed her file in December of 1997, and she was shocked to find in her file that she had been terminated for incompetence on December 12, 1984. She wrote to Mr. Paul Igasaki, Chairman of the EEOC, on June 16, 1998, and when no response was received, she wrote to him on December 21, 1998. She also wrote to the Merit Systems Protection Board requesting its assistance if no response were made by Mr. Igasaki. The letter was considered by the Board to be an appeal to the Board and this case evolved. App. 0523-0524;O53O-0531 ; 0012

Mary Williams Cazalas received a letter dated March 5, 1999, from Arlethia Moore, Assistant Director of Personnel Operations Services Team, Office of Human Resources of the EEOC, in which she responded to the letters of Mary Williams Cazalas written to Mr. Paul Igasaki on June 16, 1998, and December 21,

1998. She sent with her letter a copy of the Agency's cancellation of the termination of Mary Williams Cazalas effective December 12, 1984. Pet. App. J-A-19 The reason given for the cancellation was that Mary Williams Cazalas had received disability retirement effective November 22, 1984, and that she was not an employee on that date. A review of the scenario above and the evidence supportive thereof clearly contradicts the allegations in the letter of Arlethia Moore. Mary Williams Cazalas was not receiving disability retirement on November 22, 1984. She was an employee of the Equal Employment Opportunity Commission and she is still an employee as she has never been notified that she is to be terminated and she did not receive disability retirement. Her application for disability retirement filed August 15, 1984, was not filed voluntarily, knowingly and willingly. App. 0658;0672-0674;0895

MARY WILLIAMS CAZALAS SHOULD BE CLASSIFIED AS A VETERANS PREFERENCE ELIGIBLE EMPLOYEE

Mary Williams Cazalas alleged that she should be considered as having veterans preference because she was a cadet nurse during World War II. She knew that this was a novel issue and that the court might rule against her on that issue. She did not realize that the Administrative Law Judge, the Respondent and apparently the United States Court of Appeals for the Federal Circuit would seize upon that issue to cloud the major basis alleged for finding jurisdiction and entitlement to credit for time served while receiving workers compensation.

Mary Williams Cazalas was a cadet nurse during World War II at St. Joseph's Infirmary in Atlanta, Georgia, between 1945 and1948. The Cadet Nurse Corps was established on June 15, 1943, by the Bolton Act. It was originally entitled the Victory Nurse Corps. This was stated to be a new tactic for mobilizing more women for the war effort A copy of the Bolton Act is at Pet.

App N-A-31 The history of the Cadet Nurse Corps is at App. 0487-0503;0716-0739 The right of cadet nurses to veterans preference is of public interest as all nurses in the Cadet Nurse Corps during World War II would benefit. A bill was introduced in the House of Representatives by Mrs. Lowry entitled "United States Cadet Nurse Corps Equity Act of 1997" to grant veterans status to cadet nurses. It has been referred to the Committee on Veterans Affairs and the Committee on National Security. Pet. App. N-A-33

REASONS THE WRIT SHOULD BE GRANTED

Mary Williams Cazalas is not appealing a 1984 discharge. She has never been discharged by the Equal Employment Opportunity Commission. She filed her appeal to the Merit Systems Protection Board after reviewing her personnel file pursuant to her FOIA and Privacy Act requests that resulted in her discovery of two SF-50 forms in her file reflecting that she had been discharged for incompetence in December of 1984. She requested that she be given credit for service for the time she received workers compensation benefits.

The Administrative Law Judge dismissed the appeal after concluding that Mary Williams Cazalas was an excepted service employee in 1984 and, as such, she did not have access to the Merit Systems Protection Board. She concluded that Mary Williams Cazalas was separated from federal service in 1984. She apparently arrived at her determination without considering the preponderance of undisputed evidence contained in the record which establishes that Mary Williams Cazalas was never discharged and that she never knowingly, willingly, and voluntarily filed for disability retirement nor did she ever accept disability retirement. This evidence was ignored and clouded by seizing upon the novel and weaker issue, veterans preference for serving as a cadet nurse.

If Mary Williams Cazalas had appealed the Administrative Law Judge's decision to the Merit Systems Protection Board before appealing to the United States Court of Appeals for the Federal Circuit, she would have been precluded from raising the issues of failure to notify her of her being terminated and the failure to file the disability retirement voluntarily, knowingly, and willingly. The Justice Department attorney representing the Respondent stipulated at the oral argument before the Court of Appeals for the Federal Circuit that Mary Williams Cazalas had not appealed the ALJ's decision to the Board and, therefore, the Court had de novo jurisdiction of all issues raised before the ALJ. Unwary petitioners who are not attorneys and many attorneys may well be tricked into loosing meritorious claims by this maneuver of the Merit Systems Protection Board and the United States Court of Appeals for the Federal Circuit. An obstacle to federal employees is the high costs of litigation. If Mary Williams Cazalas had not been an attorney, she would not have been able to afford the legal fees.

In the January-February 2000 issue of Judicature, a description of the traditional view of our judicial system was presented. The article stated that judges are supposed to be perfectly impartial and objective in making decisions, unaffected by personal values or their backgrounds. Judges are expected to make rulings based only on the law and evidence presented in the court room. The structure of the independent judiciary, by conferring life tenure upon the federal judges, is designed to remove judges from the day-to-day pressures and temptations of ordinary political office. It was noted that empirical scholars have reached the inescapable conclusion that judicial decisions-and particularly constitutional law decisions-are at least partially attributable to the personal values and impressions of the judges. Greater awareness of the powerful influences of personal background and attitudes may encourage greater self-consciousness, impartiality and objectivity among judges. It may serve to remind the rest of us of the need to constrain judicial discretion with law. See Gregory C. Sisk, Judges are human too, Judicature, Vol.83, No.4, January-February 2000, pp. 178, 211-212

It was observed by Professors Frank B. Cross and Emerson H. Tiller in Judicial Partisanship and Obedience to Legal Doctrine: Whistleblowing on the Federal Courts of Appeal, 107 Yale U. 2155 (1998), that in traditional legal analysis, scholars take for granted the effect of Supreme Court Doctrine. Lower courts are presumed to adhere to the self-enforcing principle of stare decisis and to apply the doctrines of higher courts to the particular facts of the underlying case. Precedent reputedly controls lower court decisions. In Patterson v. McLean Credit Union. 491 U.S. 164, 172 (1987), this court declared that stare decisis is a basic self-governing principle within the Judicial Branch.

Cross and Tiller further cite recent studies by legal scholars that have attempted to determine whether obedience to legal doctrine occurs as routinely as has been suggested. They note that the traditional position has been challenged by legal realists, critical legal scholars, and political scientists, who are all highly skeptical of the practical importance of legal doctrine. The presumption that judges follow the law out of a sense of responsibility or role orientation is challenged. id.

They observed that while the Supreme Court can theoretically play a disciplining role by enforcing adherence to doctrine on appeal, the Court's limited resources may preclude effective control. According to the attitudinal model, lower court obedience to legal doctrine has little practical effect in determining judicial decisions. The Court's awareness of how infrequently it is able to review lower court decisions had led it to tolerate, even approving, of lower court and party discipline in relation to existing law. They also note that choice models of judicial review of agency decision making have incorporated the notion that actors have limited resources and the derivative proposition that this creates discretion for agencies and lower courts. Courts have the ability to manipulate agency resources to achieve a policy desired by the court. See Frank B. Cross and Emerson H. Tiller, Judicial Partisanship and Obedience to Legal Doctrine: Whistleblowing on the Federal Courts of Appeals. 107 Yale L.J. 2155 (1998).

Mary Williams Cazalas respectfully represents to this Court that the facts and circumstances of this case call for a review by the United States Supreme Court. The Administrative Law Judge and the United States Court of Appeals for the Federal Circuit have failed to follow clearly established precedent that termination of federal employees must meet the requirements of due process guaranteed by the Fifth Amendment to the Constitution of the United States. A federal employee's application for disability retirement must be filed voluntarily, willingly and knowingly. In this case, precedent has not been followed. Undisputed facts prove by a preponderance of the evidence that Mary Williams Cazalas has never been notified that she was to be discharged and that the application for disability retirement was not filed voluntarily, willingly and knowingly. These facts have been ignored and clouded.

The Court of Appeals for the Federal Circuit has denied Mary Williams Cazalas' Motion For Reasons For Judgment. Pet App E-A-12 and F-A-14 The Court has also emphasized the futility of filing this petition for writ of certiorari pointing out the slight possibility that the petition will be granted. The facts and circumstances of this case raise concern that the procedures of the Merit Systems Protection Board and the United States Court of Appeals for Federal Circuit are such that they result in denial of constitutionally guaranteed rights of federal employees and fail to protect them from improper agency action. The Board was established to provide such protection under the Civil Service Reform Act of 1978. See Protecting the Integrity of the Merit Systems Principles, Prohibited Personnel Practices and the Office of the Special Counsel. Office of Special Counsel, pp. VII, 123 (1985). The Civil Service Due Process Amendments of 1990, O.P.L. 101-376,104 Stat. 461(1990) expanded the coverage of Chapter 75 to include many nonpreference eligibles in the excepted service. See 5 U.S.C. Section 7511; Vaughn, R., Merit Systems Protection Board: Rights and Remedies, Litigation Government Regulations Services, Law Journal Seminars-Press, division of New York Law Publishing Company, pp.120 (1992).

In La Chance v. Erickson. 118 S.Ct. 753 (1998), this Court set forth procedural rights accorded a federal employee. When adverse action is to be taken, the agency must give the employee at least 30 days advance written notice; allow the employee a reasonable time, but not less than 7 days to answer orally and in writing and to furnish evidence in support of the answers; permit the employee to be represented by an attorney or other representative; and provide the employee with a written decision and the specific reasons therefore. Mary Williams Cazalas has never been afforded any of these requirements. See Pet. App. A-27

In Dumas v. M.S.P.B., 789 F.2d 892, 894-895 (Fed. Cir. 1986), The Court reaffirmed that an involuntary action may result not only from coercion, but also from misrepresentation or deception. When an agency is aware that no basis exists for its proposed action, confronting an employee with the choice between a disciplinary action and resignation is coercive. See also Schlutz v. United States Navy, 816 F.2d 1133,1138 (Fed. Cir. 1987). If an employee reasonably relies on material misinformation to his detriment, his agreement to an agency action, such as retirement, is involuntary. See Covington v. Department of Health and Human Services, 750 F.2d 937 (Fed. Cir. 1984). An employee has the right to appeal an involuntary action and is able to present his or her allegations to the Board. See Williams V. Department of Agriculture. 832 F2d 1259.1260 (Fed. Cir. 1987).

The Board presumes that an employee's decision to accept an adverse personnel action is voluntary The employee has the burden of persuasion by a preponderance of the evidence to show that the action was involuntary. An employee must receive a hearing on any non-frivolous allegation that the acceptance of a action covered by Chapter 75 was in fact coerced. A non-frivolous allegation is one based upon more than conclusory allegations. The employee must make some factual allegations that would support a finding of coercion. An employee may establish a coerced action by showing that the agency made conditions so unbearable that he or she had no choice but to leave. Instances of

extreme harassment provide, therefore, a non-frivolous allegation of involuntariness. For retirement to be involuntary, the agency need not intentionally deceive the employee regarding his retirement options. An employee must demonstrate that he or she acted in good faith and that a reasonable person would have been misled by the agency's advice. See Vaughn, R., Merit Systems Protection Board: Rights and Remedies, Law Journal Seminars-Press, a division of The New York Law Publishing Company, pp.12-10 and 12-11 (1984) Cumulative Pocket Part (1992), See also Scharf V Department of the Air Force 710 F2d 1572 (Fed. Cir. 1983).

In Drumheller v. Department of the Army 55 M.S.P.R. 441, 446-447, 450 (1993), Judge Levenson points out that when the appellant's retirement is involuntary the appeal is unquestionably within the Board's jurisdiction. The burden of proof is that the agency knew or believed that the termination could not be substantiated or that an arguable basis for discharge did not exist See Garland v. Department of the Air Force. 44 M.S.P.R. 537, 540 (1989).

Mary Williams Cazalas respectfully represents to this Court that she has met the burden of proof that her application for disability retirement filed August 15, 1984, was not voluntarily, willingly and knowingly filed. Vacchiano v. Office of Personnel Management, 49 M.S.P.R. 1, 5 (1991) and True v. Office of Personnel Management,. 44 M.S.P.R. 251, 255 (1990), 926 F.2d 1151 (Fed. Cir 1991) cited by the Respondent to support its position, are distinguishable from the case here before the court. In those cases, the applications were voluntary and disability retirement payments were received before workers compensation payments were paid. In the case of Mary Williams Cazalas, her application was involuntary and she never accepted any disability retirement payments She informed OPM she did not want disability retirement. This evidence was apparently disregarded by the Administrative Law Judge and the United States Court of Appeals for the Federal Circuit, and precedent was not followed.

CONCLUSION

Mary Williams Cazalas respectfully represents to this Court that for the reasons stated above the Merit Systems Protection Board has jurisdiction of this appeal. She is entitled to credit for time served while receiving workers compensation. The Merit Systems Protection Board and the United States Court of Appeals for the Federal Circuit have failed to follow precedent and they have ignored the preponderance of undisputed evidence that supports the petitioners allegations. The practices of the Merit Systems Protection Board and the United States Court of Appeals for the Federal Circuit in this case, if followed in future litigation, will result in denial to federal employees due process guaranteed by the Fifth Amendment to the Constitution of the United States. Federal Employees will not be protected from improper agency action for which the Merit Systems Protection Board was established. Most federal employees will not be attorneys who can represent themselves and they may be unable to pay the high costs of legal services. The Merit Systems Protection Board and the United States Court of Appeals for the Federal Circuit have an ethical duty and legal responsibility to protect federal employees from improper agency action. That cadet nurses are entitled to veterans' preference has been raised before the Court for the first time in this case. If the Court rules that Mary Williams Cazalas is entitled to Veterans' preference, this same right will apply to all other cadet nurses. This is a case of public interest and concern. It is a case which calls for the supervisory jurisdiction of the United States Supreme Court. For the reasons stated above, Mary Williams Cazalas prays that this petition for writ of certiorari be granted.

RESPECTFULLY SUBMITTED

Mary Williams Cazalas

Mary Williams Cazalas
In Proper Person
1116 City Park Ave.
New Orleans, La., 70119
504-488-0256

CERTIFICATE OF SERVICE

I, Mary Williams Cazalas, petitioner herein and a member of the bar of the Supreme Court of the United States, hereby certify that I served two copies of the foregoing Petition for Writ of Certiorari and its appendices and exhibits on the Respondent by placing them in the United States mail, certified, return receipt requested, priority mail, postage prepaid, addressed to the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C., 20530-0001, on this 7th day of July, 2000.

July 7, 2000

Mary Williams Cazalas

Mary Williams Cazalas
In Proper Person

APPENDIX TO PETITION FOR WRIT OF CERTIORARI

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C. Judgment of the United States Court of Appeals for the Federal Circuit dated April 10, 2000. . . . . A-10

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H. Letter of Mary Williams Cazalas dated November 8,1985. . . . . A-16

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L. Memorandum of Terrel Broussard. A-22

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O. Curriculum Vitae A-34

Citations in the Petition to "App." are to the Appendix filed with the briefs in the United States Court of Appeals for the Federal Circuit that comprises the record in this case.

Citations in the Petition to "Pet. App." are to this Appendix to Petition For Writ of Certoarari

APPENDIX A

UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
DALLAS FIELD OFFICE

MARY WILLIAMS CAZALAS,	DOCKET NUMBER
Appellant	DA-0752-99-0172-I-1
v.	
EQUAL EMPLOYMENT OPPORTUNITYCOMMISSION, Agency.	DATE: March 24, 1999

ORDER REGARDING JURISDICTION

A review of the record reflects that, at the time the appellant separated from Federal service in 1984, she was an expected service employee. The applicable statute at that time required that, in order to have appeal rights under 5 U.S.C. Chapter 75, an appellant must be in the competitive service or a preference eligible in the excepted service. See Meyers v. Department of the Army, 35 M.S.P.R. 417 (1987).

The appellant has asserted that she was a member of the Cadet Nurse Corps during World War II and, as such, she "should be entitled to veterans preference." She also asserted that her former administrator while in the Corps "would like to obtain such rights [veterans rights] for these nurses who are now at the age to need veterans benefits." Moreover, she acknowledges in her

submissions that, in Kale v Office of Personnel Management, 53 M.S.P.R. 194 (1992), the Board determined that trainees in the Corps were not performing military service. However, she states that Kale "should not set a precedent that would prevent the passage by Congress of an Act granting cadet nurses veterans rights."

The appellant is advised that the record reflects that she is a non-preference eligible in the excepted service and, therefore, has no appeal rights to the Board. Unless the appellant submits evidence and argument to show that, at the time of her separation in 1984 she had veterans preference, her appeal will be dismissed for lack of jurisdiction.

The appellant has the burden of proving that the appeal is within the Board's jurisdiction. Therefore, the appellant is ORDERED to show cause on or before April 5, 1999 why this appeal should not be dismissed for lack of jurisdiction. The record on this issue will close on April 5, 1999. No evidence or argument which is received after that date will be accepted unless accompanied by information showing that it is new and material evidence which was not available before the record closed.

FOR THE BOARD: "S/Mary Ann Garvey"
Mary Ann Garvey
Administrative Judge

CERTIFICATE OF SERVICE

I certify that the attached Document (s) was (were) sent by regular mail, unless otherwise indicated below, this day to each of the following:

Appellant

Mary Williams Cazalas
1116 City Park Avenue
New Orleans, LA 70119

Agency's Representative (s)

Brent A. Brenner
Equal Employment Opportunity Commission
Office of the Legal Counsel
1801 L Street, NW., Room 6006
Washington, DC 70507

March 24, 1999
(Date)

"S/Crystal A. Arterberry"
Crystal A. Arterberry
Staff Assistant

APPENDIX B

UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
DALLAS FIELD OFFICE

MARY WILLIAMS CAZALAS,
Appellant

DOCKET NUMBER
DA-0432-99-0172-I-1

v.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Agency.

DATE: April 8, 1999

DOCKET NUMBER

Mary Williams Cazalas, Esquire, New Orleans, Louisiana, pro see.

Brent A. Brenner, Esquire, Washington, DC., for the agency.

BEFORE

Mary Ann Garvey
Administrative Judge

INITIAL DECISION

On January 19, 1999, Mary Williams Cazalas filed an appeal contesting her removal, which was effective December 12, 1984.*

Based on the following analysis and findings, the appeal is DISMISSED.

---

* Because the appeal is not within the Board's appellate authority, no ruling is made regarding the timeliness of the appellant's appeal.

ANALYSIS AND FINDINGS

The appellant failed to show that she has appeal rights to the Board.

A review of the record reflects that, at the time the appellant was separated from Federal service in 1984, she was an excepted service employee. The applicable statute at that time required that, in order to have appeal rights under 5 U.S.C. Chapter 75, an appellant must be in the competitive service or a preference eligible in the excepted service. See Meyers v. Department of the Army, 35 M.S.P.R. 417 (1987).

The agency filed a motion to dismiss the appeal asserting that the appellant does not have appeal rights to the Board because she was not a competitive service employee or a preference eligible employee. The agency argued that the appellant's service in the Cadet Nurses Corps was neither Federal nor military service. Appeal File, Tab 7.

In responding to the agency's motion to dismiss, the appellant did not dispute the fact that she was an excepted service employee. However, she asserted that she was a member of the Cadet Nurse Corps during World War II and, as such, she "should be entitled to veterans preference." Appeal File, Tab 8. She also asserted that her former administrator while in the Corps "would like to obtain such rights [veterans rights] for these nurses who are now at the age to need veterans benefits." She acknowledged that, in Kale v Office of Personnel Management, 53 M.S.P.R. 194 (1992), the Board determined that trainees in the Corps were not performing military service. However, she argued that Kale "should not set a precedent that would prevent the passage by Congress of an Act granting cadet nurses veterans rights."

On March 24, 1999, I advised the appellant that it appeared that she has no appeal rights to the Board because the record reflected that she was an excepted service employee who was not preference eligible. I further advised the appellant that she has the burden of proving that the appeal is within the Board's jurisdiction and specifically advised her that she must submit evidence and argument to show that, at the time of her separation in 1984, she was a preference eligible employee. In her response to the Order Regarding Jurisdiction, the appellant stated that persons in the merchant marine service during World War II now have veterans benefits and she contended that those "in theCadet Nurse Corps during World War II should have the same rights." Appeal File, Tab 10.

As a non-preference eligible in the excepted service, the appellant has no right to appeal to the Board, absent some authorized expansion of jurisdiction granted by Congress. See Smith v. Merit Systems Protection Board, 813 F.2d 1216, 1218 (Fed. Cir. 1987). Moreover, the Board has no authority to accept jurisdiction where none exists. See Rysavy v. Department of Housing and Urban Development, 27 M.S.P.R. 316, 318 (1985). Although the appellant strongly believes that her service in the Corps should entitle her to appeal rights to the Board and that Congress should pass a law granting cadet nurses veterans rights, the appellant failed to show that in December of 1984 she was a preference eligible employee. Accordingly, she has no appeal rights to the Board and her appeal must be dismissed.

DECISION

The appeal is DISMISSED.

FOR THE BOARD: "S/Mary Ann Garvey "
Mary Ann Garvey
Administrative Judge

NOTICE TO APPELLANT

This initial decision will become final on May 13, 1999, unless a petition for review is filed by that date or the Board reopens the case on its own motion. This is an important date because it is usually the last day on which you can file a petition for review with the Board. However, is this initial decision is received by you more than 5 days after the date of issuance, you may file a petitio for review within 30 days after the date you actually receive the initial decision. The date on which the initial decision becomes final also controls when you can file a petition for review with the Court of Appeals for the Federal Circuit. The paragraphs that follow tell you how and when to file with the Board or the federal court.These instructions are important because if you wish to file a petition, you must file it within the proper time period.

BOARD REVIEW

You may request Board review of this initial decision by filing a petitio for review. Your petition, with supporting evidence and argument, must be filed with:

The Clerk of the Board
Merit Systems Protection Board
1120 Vermont Avenue, NW., Room 806
Washington, DC 20419

If you file a petition for review, the Board will obtain the record in your case from the administrative judge and you should not submit anything to the Board that is already part of the record. Your petition must be postmarked, faxed, or hand-delivered no later than the date this initial decision becomes final, or if this initial decision is received by you more than 5 days after the date of issuance, 30 days after the date you actually receive the initial decision. If you fail to provide a statement with your petition that you have either mailed, faxed, or hand-delivered a copy of your

petition to the agency, your petition will be rejected and returned to you.

JUDICIAL REVIEW

If you are dissatisfied with the Board's final decision, you may file a petition with:

The United States Court of Appeals
for the Federal Circuit
717 Madison Place, NW.
Washington, DC 20439

You may not file your petition with the court before this decision becomes final. To be timely, your petition must be received by the court no later than 60 calendar days after the date this initial decision becomes final.

NOTICE TO AGENCY/INTERVENOR

The agency or intervenor may file a petition for review of this initial decision in accordance with the Board's regulations.

CERTIFICATE OF SERVICE

I certify that the attached Document (s) was (were) sent by regular mail, unless otherwise indicated below, this day to each of the following:

Appellant

Mary Williams Cazalas
1116 City Park Avenue
New Orleans, LA 70119

Agency's Representative (s)

Brent A Brenner
Equal Employment Opportunity Commission
Office of the Legal Counsel
1801 L Street, NW., Room 6006
Washington, DC 20507

Other

Marjorie Marks
U.S. Office of Personnel Management
Employee Relations Division
1900 "E" Street, N.W., Room 7412
Washington, DC 20415

April 8, 1999
(Date)

"S/Crystal A. Arterberry"
Crystal A. Arterberry
Staff Assistant

APPENDIX C

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record. The disposition will appear in tables published periodically.

United States Court of Appeals for the Federal Circuit

FILED
U.S. COURT OF APPEALS
FOR
THE FEDERAL CIRCUIT
MAR 10, 2000
JAN HORBALY
CLERK

99-3275

Mary Williams Cazalas,
Petitioner.

v.

Equal Employment Opportunity Commission,
Respondent.

Judgment

ON APPEAL from the MERIT SYSTEMS PROTECTION BOARD

In CASE NO(S). 99-3275

This CAUSE having been heard and considered, it is ORDERED and ADJUDGED:

Per Curiam: (MAYER, Chief Judge, SCHALL and GAJARSA, Circuit Judges):

AFFIRMED. See Fed. Cir. R.36.

ENTERED BY ORDER OF THE COURT

DATED APR 10, 2000

"S/Crystal A. Arterberry"
Jan Horbaly, Clerk

APPENDIX D

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record. The disposition will appear in tables published periodically.

United States Court of Appeals for the Federal Circuit

FILED
U.S. COURT OF APPEALS
FOR
THE FEDERAL CIRCUIT
APRIL 10, 2000
JAN HORBALY
CLERK

99-3275 **CORRECTED**

Mary Williams Cazalas,
Petitioner.

v.

Equal Employment Opportunity Commission,
Respondent.

Judgment

ON APPEAL from the MERIT SYSTEMS PROTECTION BOARD

In CASE NO(S). 99-3275

This CAUSE having been heard and considered, it is ORDERED and ADJUDGED:

Per Curiam: (MAYER, Chief Judge, SCHALL and GAJARSA, Circuit Judges):

AFFIRMED. See Fed. Cir. R.36.

ENTERED BY ORDER OF THE COURT

DATED APR 10, 2000

"S/Jan Horbaly"
Jan Horbaly, Clerk

APPENDIX E

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

MARY WILLIAMS CAZALAS, DOCKET NO. 99-3275
Petitioner

v.

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,
Respondent

MOTION FOR REASONS FOR JUDGMENT

NOW INTO COURT COMES MARY WILLIAMS CAZALAS, Petitioner, who respectfully represents to the Court that:

I.

Petitioner argued the above captioned case before the United States Court of Appeals for the Federal Circuit on Wednesday, April 5, 2000. She received on Friday, April 13, 2000, a per curiam judgment dated April 10, 2000. The judgment affirmed the decision of the Merit Systems Protection Board without stating the reasons for judgement.

II.

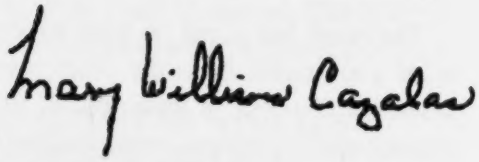
Mary Williams Cazalas is preparing her Petition for Writ of Certiorari to the United States Supreme Court. She is in need of the reasons for judgment of the United States Court of Appeals for the Federal Circuit to prepare her petition for writ of certiorari.

WHEREFORE, for the foregoing reasons, Mary Williams Cazalas hereby moves this Court to provide to her its written reasons for the per curiam judgment of April 10, 2000.

Returned. See attached correspondence
for explanation.
For the court,

May 1, 2000 "S/Jan Horbaly"
Jan Horbaly
Date Clerk

RESPECTFULLY SUBMITTED,



MARY WILLIAMS CAZALAS
IN PROPER PERSON
ATTORNEY AT LAW
LOUISIANA BAR NO. 04081
1116 CITY PARK AVENUE
NEW ORLEANS, LA., 70119
TELEPHONE NO.; 504-488-0256

APPENDIX F

NOTICE TO PRO SEE APPELLANTS AND PETITIONERS

The court has acted on your appeal or petition for review. The relief you sought from the court was denied. The accompanying judgment disposes of your appeal. It is a judgment of affirmance without opinion entered under Federal Circuit Rule 36, which states:

Rule 36. Entry of judgment

Judgment of affirmance without opinion—The court may enter a judgment of affirmance without opinion, citing this rule, when it determines that any of the following circumstances exist:

(a) the judgment, decision or order of the trial court appealed from is based on findings that are not clearly erroneous;

(b) the evidence in support of a jury verdict is sufficient;

(c) summary judgment, directed verdict, or judgment on the pleadings is supported by the record;

(d) the decision of an administrative agency warrants affirmance under the standard of review in the statute authorizing the petition for review; or

(e) a judgement or decision has been entered without an error of law;and an opinion would have no precedential value.

Consequently, no opinion of the court was filed in this appeal by the panel of judges that decided the appeal. Inquiries to the court seeking further explanation of the court's decision cannot be honored as the deliberations of the panels of the court in particular appeals are not recorded.

This is a final judgment of the court. No further judicial review is available as a matter of right. The Supreme Court of the United States may review the judgments of this court by granting a petetition for writ of certiorari; however, a review on writ of certiorari is not a matter of right, but of judicial discretion, granted only when there are special and important reasons therefor.

 CORRECTED 04/12/00

APPENDIX G

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record. The disposition will appear in tables published periodically.

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT
APR 10, 2000
JAN HORBALY
CLERK

99-3275

MARY WILLIAMS CAZALAS,
Petitioner,

v.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Respondent.

JUDGMENT

ON APPEAL from the MERIT SYSTEMS PROTECTION BOARD

In CASE NO(S). DA0432990172-I-1

This CAUSE having been heard and considered, it is ORDERED and ADJUDGED:

Per Curiam: (MAYER, Chief Judge, SCHALL and GAJARSA, Circuit Judges):

AFFIRMED. See Fed Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED APR 10, 2000

"S/Jan Horbaly"
Jan Horbaly, Clerk

ISSUED AS A MANDATE: June 1, 2000

APPENDIX H

1116 City Park Avenue
New Orleans, Louisiana 70119
November 8, 1995

Ms. Amelia G. Corley
United States Office of Personnel Management
Civil Service Claims Division-A Co Branch Room 4467
Washington, D.C. 20415

Dear Ms. Corley:

I have received five checks for disability Civil Service Retirement payments which total $3,488.00. These checks were paid to me in error. I am receiving Worker's Compensation payments. There has been no change in the status of my worker's compensation claim.

I deposited all of the retirement checks in my checking account at the Whitney National Bank, New Orleans, Louisiana, Account No. 29226006, and I am mailing to you a check made payable to the Treasurer, United States of America, in the amount of $3,488.00. I have enclosed photocopies of the checks received by me and the deposits slips showing the date of deposit as November 9, 1985.

As you advised me in your communication dated June 25, 1985, I can elect Compensation if it is to my advantage to do so. The disability annuity payments will be much less that the Compensation payments. Therefore, it is to my advantage to receive Compensation. I will advise you of any change in my Compensation claim.

I am enclosing the form you sent to request a reduction in my life insurance coverage. I have selected the 75% reduction of benefits. I do wish to retain my high option health benefits with Aetna Life and Casualty Company. I understand that the Office of Worker's Compensation is paying the cost of my insurance coverage.

Thank you for your assistance in this matter.

A-17

Sincerely,
"S/Mary Rebecca Williams Cazalas"
Mary Rebecca Williams Cazalas
OPM Claim No. CSA 2788388

APPENDIX I

1116 City Park Avenue
New Orleans, La. 70119
November 10, 1986

United States Office of Personnel Management
Civil Service Retirement System

Dear Sir:

I have received a check for disability Civil Service retirement payment in the amount of $621.35. This check was paid to me in error. I am receiving Worker's Compensation payments. There has been no change in the status of my worker's compensation claim.

I deposited the retirement check in my checking account at the Whitney National Bank, New Orleans, Louisiana, Checking Account No. 55-302-450, and I am mailing to you a check made payable to the Treasurer, United States of America, in the amount of $621.35. I have enclosed photocopies of the check received by me and the deposit slip showing the date of deposit as November 10, 1986.

I was advised in a communication from you office dated June 25, 1985, that I can elect Worker's Compensation if it is to my advantage to do so. The disability annuity payments will be much less than the Compensation payments. Therefore, I did elect to receive Worker's Compensation payments as it was to my advantage to do so. There has not been a change in my Compensation claim. I will advise you of any change in my claim.

I wish to retain my high option health insurance benefits with Aetna Life and Casualty Company. I selected the 75% reduction in life insurance benefits. I understand that the Office of Worker's Compensation is paying the costs of my insurance coverage.

Thank you for your assistance in this matter.

Sincerely,
"S/Mary Rebecca Williams Cazalas"
Mary Rebecca Williams Cazalas
OPM Claim No. CSA-2 788 388

APPENDIX J

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20507
March 5, 1999

Ms. Mary Williams Cazalas
1116 City Park Avenue
New Orleans, LA 70119

Dear Ms. Cazalas:

This is in response to you letters requesting assistance in clearing you record of a wrongful discharge. We apologize for the delay in responding to you request.

It appears from the documents you submitted, documents in your Office Personnel File (OPF), as well as information received from the Office of Personnel Management and our payroll office, that you applied for disability retirement on August 15, 1984 and began receiving disability retirement benefits on November 22, 1984. I also appears that you application to the Office of Worker's Compensation (OWCP) for payment of medical bills was approved on September 19, 1984.

Upon our review, we discovered documentation effecting your removal on December 12, 1998. Clearly this was erroneous given the fact that you retired on November 22, 1998. We have taken the necessary steps to correct the record. The corrected Standard (SF) 50 is enclosed. The exhibits you forwarded in support of you request, are being returned under separate cover.

I am unable to determine how this type of mistake was made, but please accept my apology.

Sincerely,
"S/Arlethia Monroe"
Arlethia Monroe, Assistant Director
Personnel Operations Services Team
Office of Human Resources

APPENDIX K

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT

JOSEPH D. GELASON
EXECUTIVE VICE PRESIDENT

NICHOLS J. NOLAN
NATIONAL SEC.-TREAS.

November 2, 1984

Mr. Donald R. Stacy
Regional Attorney
Equal Employment Opportunity Commission
Room 523
600 South Maestri Place
New Orleans, LA 70130

Re: Notice of Proposed Removal - Mary Williams Cazalas

Dear Mr. Stacy:

On behalf of Mary Williams Cazalas the Union is responding to the Notice of Proposed Removal issued by Supervisory Trial Attorney, Christopher L. Williams.

Ms. Cazalas has been a dedicated loyal and hard working federal employee for may years now. As will happen sometimes, Ms. Cazalas became the victim of undue work related and personal stress which adversely impacted upon her ability to satisfactorily perform her duties.

Since at least April, 1984 the Union has requested on Ms. Cazalas' behalf that she be remove from under Mr. Williams' supervision. The shortage of attorney's in the legal unit, the increased work load and Mr. Williams' constant harassment and "knit-picking" scrutiny of Ms. Cazalas work was more than what could be expected to withstand and resulted in the decline of Ms. Cazalas performance.

Ms. Cazalas is at home now. Her doctor states that she is in such a depressed state that she suffers from crying spells, suicidal ideation, loss of ability to enjoy life, reduced capacity to cope etc. Additionally, Ms. Cazalas' Dr. stated that her job dissatisfaction aggravates her depression. Is there any wonder that Ms. Cazalas' effectiveness on the job would suffer. The Union only wonders if Ms. Cazalas could have been "saved" if her requests for transfer would have been granted some months ago.

The Union realizes that the agency must continue with its mission and that this mission can not cease because Ms. Cazalas is suffering mental ill that her doctor says will take some years to recover from. The union only pleads on behalf of Ms. Cazalas that the agency be fair and do all within its power to help Ms. Cazalas leave the agency with dignity. This can be done by helping Ms. Cazalas to process her disability retirement request.

Sincerely,
"S/Deborah Simms"
Deborah Simms
Union Steward/District
Vice-President

cc: Mary W. Cazalas
Leci Morrow, Local President 3637

APPENDIX L

MEMO from TERREL J. BROUSSARD

To Williams DATE 10/18/82 TIME_____
SUBJECT Duty Officer, Omitting Name of Cazalas

Suggest you reconsider the omission of Mary Cazalas as duty officer for the reasons that : (1) It is unfair to the other attorneys (2) As long as Mary is an employee she should be treated as such. To do otherwise may suggest an anterior and unjust motive. Therefore, I have prepared the attached list as a duty office schedule.

ROUTING AND TRANSMITTAL SLIP Date 10/18/82

TO: (Name, office symbol, room number, building, Agency/Post) Initials Date

1. Terrel
2.
3.
4.
5.

X	Action	File	Note and Return
	Approval	For Clearance	Per Conversation
	As Requested	For Correction	Prepare Reply
	Circulate	For Your Information	See Me
	Comment	Investigate	Signature
	Coordination	Justify	

REMARKS

We need a new duty officer schedule which takes the absence of Cazalas into account. Please prepare one for my signature.

DO NOT use this form as a RECORD of apporals concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post) Room No.—Bldg.
Chris Phone No,
5041 OPTIONAL FORM 41 (Rev. 7-76
U.S. GPO: 19P0-341-229/20 Prescribed by GSA
FPMR (41 CFR) 101-12.2061

APPENDIX M

YOU have been through a lot,
and given in...You have not.
So, let the struggle begin.
Through lies deception, and greed,
Through Injustice you did exceed,
the exception of most, and won
the admiration of all.
So, to the beasts who know not of
your fiber:
To the Jackel, who curries the viper;
To the Sovereigns, whether legitimate or not;
Etch! these words forever on your Scrolls:
WHETHER RICH OF POOR,
WHETHER YOUNG OF OLD,
YOU CANNOT MAKE ME INTO
SOMETHING I AM NOT!!

For my friend, 7/17/82
"S/Terrel"

§ 7703. Judicial review of decisions of the Merit Systems Protection Board

(a)(1) Any employee or applicant for employment adversely affected or aggrieved by a final order of decision of the Merit Systems Protection Board may obtain judicial review of the order of decision.

(2) The Board shall be named respondent in any proceeding brought pursuant to this subsection, unless the employee or applicant for employment seeks review of final order of decision on the merits on the underlying personnel action or on a request for attorney fees, in which case the agency responsible for taking the personnel action shall be the respondent.

(b)(1) Except as provide in paragraph (2) of this subsection, a petition to review a final order or final decision of the Board shall be filed in the United States Court of Appeals for the Federal Circuit. Notwithstanding any other provision of law, any petition for review must be filed within 30 days after the date the petitioner received notice of the final order or decision of the Board.

(2) Cases of discrimination subject to the provisions of section 7702 of this title shall be filed under section 717(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16(c)), section 15(c) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(c)), and section 16(b) of the Fair LAbor Standards Act of 1938, as amended (29 U.S.C. 216(b)), as applicable. Notwithstanding any other provision of law, any such case filed under any such section must be filed within 30 days after the date the individual filing the case received notice of the judicially reviewable action under such section 7702.

(c) In any case filed in the United States Court of Appeals for the Federal Circuit, the court shall review the record and hold unlawful and set aside any agency action, findings, or conclusions found to

(1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

(2) obtained without procedures required by law, rule, or regulation having been followed; or

(3) unsupported by substantial evidence;

except that in the case of discrimination brought under any section referred to in subsection (b)(2) of this section, the employee or applicant shall have the right to have the facts subject to trial de novo by the reviewing court.

(d) The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the date the Director received notice of the final order of decision of the Board, a petition for judicial review in the United States Court of Appeals of the Federal circuit if the Director determines, in his discretion, that the Board erred in interpreting a civil service law, rule, or regulation affecting personnel management and that the Board's decision will have a substantial impact on a civil service law, rule regulation, or policy directive. If the Director did not intervene in a mater before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the Court of Appeals. The granting of the petition for judicial review shall be at the discretion of the Court of Appeals.

5 U.S.C. Section 7513 Cause & Procedure

(a) Under regulations prescribed by the Office of Personnel Management, an agency may take an action covered by this subchapter against an employee only for such sauce as will promote the efficiency of the service.

(b) An employee against whom an action is proposed is entitled to—

(1) at least 30 days' advance written notice, unless there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed, stating the specific reasons for the proposed action;

(2) a reasonable time, but not less than 7 days, to answer orally and in writing and to furnish affidavits and other documentary evidence in support of the answer;

(3) be represented by an attorney or other representative; and

(4) a written decision and the specific reasons therefor at the earliest practicable date.

(c) An agency may provide, by regulation, for a hearing which may be in lieu of or in addition to the opportunity to answer provided under subsection (b)(2) of this section.

(d) An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.

(e) Copies of the notice of proposed action, the answer of the employee when written, a summary thereof when made orally, the notice of decision and reasons therefor, and any order effecting an action covered by this subchapter, together with any supporting material, shall be maintained by the agency and shall be furnished to the Board upon its request and to the employee affected upon the employee's request.

28U.S.C. § 1295. Jurisdiction of the United States Court of Appeals for the Federal Circuit

(a) The United States Court of Appeals of the Federal Circuit shall have exclusive jurisdiction—

(1) of an appeal from a final decision of a district court of the United States, the United States District Court of the District of the Canal Zone, the District Court of Guam, the District Couth of the Virgin Islands, of the District Court for the Northern Mariana Islands, if the jurisdiction of that court was based, in whole or in part, on section 1338 of this title, except that a case involving a claim arising under any Act of Congress relating to copyrights, exclusive rights in mask works, or trademarks and no other claims under section 1338(a) shall be governed by sections 1291, 1292, and 1294 of this title;

(2) of an appeal from a final decision of a district court of the Unite States, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, or the District Court for the Northern Mariana Islands, if the jurisdiction of that court was based, in whole or in part, on section 1346 of this title, except that jurisdiction of an appeal is a case brought in a district court under section 1346(a)(1), 1346(b), 1346(e), or 1346(f) of this title or under section 1346(a)(2) when the claim is founded upon an Act of Congress or a regulation of an executive department providing for internal revenue shall be governed by sections 1291, 1292, and 1294 of this title;

****

(9) of an appeal from a final order or final decision of the Merit Systems Protection Board, pursuant to sections 7703(b)(1) and 7703(d) of title 5;

28 U.S.C. § 1254. Courts of appeals; certiorari; certified questions

Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:

(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree;

TEXT OF AMENDMENTS TO THE CONSTITUTION
AMMENDMENT [V]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, not be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

BOLTON ACT

To provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes.

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That for the purpose of assuring a supply of nurses for the armed forces, governmental and civilian hospitals, health agencies,and war industries, there are hereby authorized to be appropriated sums sufficient to carry out the purposes of this Act: Provided, That there shall be no discrimination in the administration of the benefits and appropriations made under the respective provisions of this Act, on account of race, creed, or color. Such sums shall be used for making payments to schools of nursing or other institutions which have submitted, and had approved by the Surgeon General of the Public Health service (hereinafter referred to as the Surgeon General), plans for nurses' training, for making payments under section 4, and for all necessary expenses of the Public Health Service in administering the provisions of this Act.

Sec. 2. A plan for training of nurses may be limited to student-nurse training, or to postgraduate or refresher-nursing, courses, or may include both. A plan submitted by any institution may be approved only it it provides—

(a) That no student or graduate nurse will be included under the plan unless in the judgment of the head of the institution such nurse will be available for military or other Federal government or

essential civilian service for the duration of the present war, and such nurse so states in her application for inclusion under the plan;

* * * *

Sec. 10. This Act shall cease to be in effect upon the date of the termination of hostilities in the present war as determined by the President or upon such earlier date as the congress by concurrent resolution or the President may designate, except for purposes of (a) making computation, payments, and adjustment in payment with respect to recruitment, training, and courses prior to such date, and (b) making computations, payments, and adjustments in payments so as to permit continuance, after such date, of training and courses by graduate or student nurses who were receiving training or courses ninety days prior to such date.

Approved June 15, 1943.

H.R. 2585 by LOWEY (D-NY) -- United States Cadet Nurse Corps Equity Act of 1997

Official Title (Caption):
A bill to provide that service of the members of the group known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of any law administered by the Department of Veterans Affairs.

Introduced on Tuesday, September 30, 1997

Committee Referrals:
House Committee on National Security
House Committee on Veterans' Affairs

Overview (Copyright (c) 1997 Legi-State, Inc.):

The bill was introduced in the House of Representatives on Tuesday, September 30, 1997 by Rep. Nita N. Loway (D-NY). At the time there are 2 cosponsors of this bill: 1 Democrat and 1 Republican.

The bill's official title stated its purpose as follows:

"A bill to provide that service of the members of the group known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of any law administered by the Department of Veterans Affairs."

The most recent action on the bill was on Tuesday, September 30, 1997: Joint referral to House Committee on National Security.

Outlook (Copyright (c) 1997 Legi-Slate, Inc.)

APPENDIX O

Mary Williams Cazalas
1116 City Park Avenue
New Orleans, Louisiana 70119
Telephone: 504-488-0663

EDUCATION

Saint Joseph's Infirmary School of Nursing 1948 - R.N.
Oglethorpe University - 1954 B.S. Pre-Med.
Emory University - 1960 M.S. Anatomy
Loyola University - 1967 - J.D. (Graduated fifth in the class)

EMPLOYMENT RECORD

General Duty Nursing - 1948 - 1968
Instructor of Maternity Nursing - 1954 -1959 at St. Joseph's Infirmary School of Nursing, Atlanta, Georgia
Medical Research - Urology - Tulane University School of Medicine - 1961
Legal Research - Law Clerk to Judge Godfrey Z. Regan - Fourth Circuit Court of Appeals 1965-1971
General Practice of Law 1967-1971
Assistant United States Attorney, New Orleans, Louisiana - 1971-1979
Trial Attorney, United States Equal Employment Opportunity Commission - New Orleans, Louisiana 1979

UNIVERSITY LECTURES

Drug Abuse, Medical - Legal History - Southern University, New Orleans, Louisiana 1972-1979
The Nurse and the Law - Louisiana State University School of Nursing -1973- 1977
Drug Abuse, Medical - Legal History - Xavier University School of Pharmacy - 1975-1979
The Nurse and the Law - Southern Baptist Hospital Associated with William Cary College -1976

The Nurse and the Law - Charity Hospital School of Nursing - 1977-1987

MEMBERSHIP IN HONOR SOCIETIES

Alpha Epsilon Delta Pre Med Honorary Society
Leconte Honorary Scientific Society
Cardinal Key National Honorary Society
Phi Sigma Biological Honor Society
Law Review - Loyola University

PROFESSIONAL ORGANIZATIONS

American Bar association - 1968-1979
American Judicature Society
Louisiana State Bar Association
New Orleans Bar Association 1968-1979
Federal Bar Association
Phi Delta Delta Women's International Legal Fraternity
now merged with Phi Alpha Delta Legal Fraternity
National Association of Women Lawyers
National Health Lawyers Association
Jefferson Bar Association
Association fro Women Attorneys, New Orleans, La.

OTHER ORGANIZATIONS

Daughters of the American Revolution
Business and Professional Women's Club
New Orleans Art Association
New Orleans Museum of Art
Alumni Associations - Emory University
Oglethorpe University
Loyola university
Federally Employed Women, Inc. - 1976-1979
Women's Political Caucus
Jefferson Parish Historical Society
P.E.O.
Zonata

AWARDS RECEIVED

Best Comment in Loyola Law Review - 1966-1967
Three American Jurisprudence Awards - Highest grade in Legal Bibliography, Contracts II, and Torts I
First Place for oil painting - Federal Business Association Art Exhibit -1973
Honorary State Senator - 1974
Superior Performance Award from the United States Department of Justice - 1974
Certificate of Appreciation from Federal Executive Board - 1975, 1976, 1977, 1978
Reverend E. A. Doyle Award - Outstanding Cardinal Key -1976
Commendation from Guam Legislature for teaching in Forensic Psychiatric Conference - September, 1977
Service as President of the New Orleans Bar Association - 1975
Service as President of the New Orleans Federal Business Association - 1978
Career Achievement Award - Mt. de Sales Academy - 1995

OFFICES HELD

Business Manager - Phi Delta Delta Magazine - 1969-1970
Vice President - Treasurer - Alpha Zeta Chapter, Phi Delta Delta - 1968, 1973
President - Alpha Zeta Chapter, Phi Delta Delta - 1970-1972
Province Director - Phi Delta Delta International Fraternity - 1970, 1972
Board of Directors - Federal Bar Association, New Orleans, La., Chapter-1972
Board of Directors - Federal Business Association - 1972-1975
First Vice President - Federal Bar Association 1973
Advisory Board - Odyssey House, Inc., New Orleans, Louisiana - 1973
Board of Advisors - School of Law, Loyola University, New Orleans, La. -1974

Chairperson, Program Committee - Federal Business Association - 1974-1975
Chairperson, Women's Committee - Federal Executive Board - 1974-1978
President - Federal Bar Association, New Orleans, La., Chapter - 1974-1975 (During this year, New Orleans Chapter won the second place for chapter activities nationally)
Vice Justice - Phi Alpha Delta Legal Fraternity - 1974-1975
Board of Directors Bethlehem House of Bread - 1975-1978
Member, National Council - Federal Bar Association - 1974-1977, 1979-
Chairperson, Drug Abuse Committee, National Federal Bar Association - 1976-1979
Vice President - Federal Business Association - 1976-1978
Member - Mayor of New Orleans Drug Abuse Advisory Committee - 1976-1978
Member - Task Force, Area Agency on Aging - 1976-1978
Member - Board of Directors, Loyola Law Alumni - 1974-1975, 1977
Vice-President - Loyola Law Alumni - 1975-1976
Member - Board of Directors and Chairperson, Legislation Committee - New Orleans Business and Professional Women's Club - 1979
Member - President's Council, Loyola University, New Orleans, La. 1978

PUBLICATIONS

Development of the Law in Louisiana Relative to Summary Judgment Since 1960, 12 Loyola Law Review (1965-1966)

Drug Addiction: An Illness or a Crime, 13 Loyola Law Review 99 (1966-1967)

Federal Jurisdiction - Removal of Civil Rights Cases, 13 Loyola Law Review 134 (1966-1967)

Usury Law in Louisiana, 14 Loyola Law Review 301 (1967-1968)

Modern Concepts in Treating Drug Addiction, 47 Phi Delta Delta Magazine 14 (Winter 1969)

Methadone Treatment and Control of Narcotic Addiction, 44 Tulane Law Review 1 (1969) - Co-authored with Judge Andrew G. Bucaro

Methadone Maintenance Blockade Treatment: A Solution for Addiction, 16 Loyola Law Review 1 (1969-1970) - Co-authored with Judge Andrew B. Bucaro

Legalities and Nursing, Association of Operating Nurses Journal (1971)

Addiction and the Law, Symposium at Xavier University of Louisiana College of Pharmacy, August 15-18, 1971

Addiction in the United States: Medical-Legal History, 18 Loyola Law Review (1971-1972) reprinted in 12 Review Court, No.,2, p. 17 (1972)

Book Review, Drugs and the Public; by Norman E. Zinberg and John A. Robertson, Simon and Schuster, 1972, 19 Loyola Law Review 553 (1972-1973)

Drug Abuse Legislation: Where Do We Go From Here, International Drug Symposium, Xavier University: Abstract published in Clinical Toxicology, p. 310-312 (1974)

Constitutionally Guaranteed Rights of the Mentally Ill, 2 Southern Law Review 9 (1975-1976)

Nursing and the Law, Third Edition, Aspen Systems Corporation, 1978

Private Practice and the Law, Chapter 12 of Private Practice In Nursing, by Charles J. Koltz, Aspen Systems Corporation, 1979

Nutritional Support in Nursing, Part II Chapter 12 Nutritional Support Nursing: Medico-Legal Concerns, Grune and Stratton, (1988).

CONFERENCE PARTICIPATION

1971 - Southeastern Association of Operating Nurses, New Orleans, Louisiana, The Nurse and the Law

1971 - First International Symposium on Drug Abuse at Xavier University of Louisiana College of Pharmacy, Addiction and the Law

1972- Southern Law Enforcement Officers Conference, Louisiana State University, Baton Rouge, Louisiana, Drug Abuse and the Law

1973- Second International Symposium on Drug Abuse at Xavier University of Louisiana, Drug Abuse Legislation: Where Do We Go From Here

1973- Conference For Narcotic Addict Rehabilitation Act Counselors, San Francisco, California and New Orleans, Louisiana, The Law and Drug Abuse

1974 - National Association of Operating Room Nurses, "As A Woman, what Are Your Rights?"

1974 - Federal Bar Association Southern Regional Conference, Chairperson of Panel on Appellate Procedure in Federal Coūrts

Workshops with the Western Consortium, Rights of Mental Patients:

1975 - Los Angeles, California; Seattle, Washington

1976 - Phonenix, Arizona

1977 - Reno, Nevada; Denver, Colorado; New Orleans, Louisiana

1977 - Role of Attorneys in Rights of the Mentally Ill: VI World Congress on Psychiatry; Honolulu, Hawaii

1977 - Forensic Psychiatry Conference, HEW, Guam, U.S.A.

1977 - Drugs Above and Below the border; Federal Bar Association, San Juan, Puerto Rico

1977 - Women In Government, Convention of National Association of Women Lawyers, New Orleans, Louisiana

1978 - Drug Abuse, Medical and Legal Aspects, Federal Bar Association, National Convention, Washington, D.C.

1978 - Critical Care Nursing Administration Conference, American Academy of Medical Administrators, Biloxi, Mississippi

1978 - Drug Abuse and Mental Illness, Federal Bar Association, National Convention, Washington, D.C.

1979 - Malpractice, The State of the Art, Southeastern Hospital Conference for Dietitions, Southeastern Hospital Conference, 42nd Annual Assembly, New Orleans, Louisiana

1979 -Drug Abuse, Medical and Legal Aspects, Federal Bar Association National Convention, San Antonio, Texas

1979 - Medical Malpractice, ASPEN, Chicago, Illinois

1979 - Nursing and the Law, a workshop for continuing education at Johnson County Community College, Overland Park, Kansas

1980 - Nursing Congress and Exposition, Dallas, Texas

1980 - White and White's 8th Annual Trade Fair and Educational Seminar, Lansing, Michigan

BIOGRAPHEE PUBLICATIONS

Who's Who in American Law

Who' Who of American Women

Who's Who in the South and Southwest

Personalities of the South

Directory of International Biography

Martindale-Hubbel, Inc. - (Listed as high legal ability and very high general recommendations)

The International Who's Who of Intellectuals

Personalities of America

International Who's Who of Women